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Signify North America Corporation
and Signify Holding B.V.*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SIGNIFY NORTH AMERICA CORPORATION and
SIGNIFY HOLDING B.V.

Plaintiffs,

v.

LEPRO INNOVATION INC,
LE INNOVATION INC,
INNOVATION RULES INC.,
HOME EVER INC., and
LETIANLIGHTING, INC.,

Defendants.

Case 2:22-cv-02095-JAD-DJA

**JOINT STIPULATION AND
ORDER TO EXTEND
DEADLINES IN
SCHEDULING ORDER**

(First Requested Extension)¹

¹ This is a resubmission of the parties' prior stipulation (ECF 97) denied without prejudice to refile (ECF 98). It is, nevertheless, identified as the "First Requested Extension" pursuant to LR IA 6-1, which requires the parties to "inform the court of all previous extensions of the subject deadline the court granted." (emphasis added). As no previous extensions have been granted, this would be the first extension, which under the Rule is to be designated the "First Requested Extension" or "First Request." *Id.*

The parties, Plaintiffs Signify North America Corporation and Signify Holding B.V. (collectively, “Plaintiffs”) and Defendants LEPRO Innovation Inc., LE Innovation Inc, Innovation Rules Inc., Home Ever Inc., and Leitianlighting, Inc. (collectively, “Defendants”), have agreed and hereby stipulate and respectfully seek the Court’s permission to extend the following case deadlines in the Scheduling Order (ECF No. 37). This is the first requested extension.

<u>Event</u>	<u>Current Date</u>	<u>New Agreed Date</u>
Fact Discovery Cut-Off	January 15, 2023	February 2, 2024
Expert Designations	March 4, 2024	March 22, 2024
Rebuttal Expert Designations	April 3, 2024	April 22, 2024
Expert Discovery Cut-off	May 3, 2024	May 22, 2024
Dispositive Motion Deadline	June 3, 2024	June 22, 2024

Pursuant to Local Rule 26-3, the parties provide the following information:

(a) **A statement specifying the discovery completed.**

The parties have served and responded to written discovery.

On March 20, 2023, Plaintiffs served a first set of interrogatories and a first set of documents requests.

On April 3, 2023, the parties served Rule 26(a) initial disclosures.

On April 26, 2023, Defendants served responses to Plaintiffs’ first set of interrogatories and first set of documents requests.

On May 26, 2023, Defendants served a first set of interrogatories and a first set of documents requests.

On June 26, 2023, Plaintiffs served responses to Defendants first set of interrogatories and first set of documents requests.

On October 27, 2023, Plaintiffs served a second set of documents requests.

On November 15, 2023, Plaintiffs served a third set of documents requests.

1 On November 27, 2023, Defendants served responses to Plaintiffs' second set of
2 documents requests.

3 On December 15, 2023, Defendants served responses to Plaintiffs' third set of documents
4 requests.

5 On December 15, 2023, Plaintiffs served a second set of interrogatories.

6 Defendants' responses to Plaintiffs' second set of interrogatories are due January 15, 2024.

7 The parties have produced documents in response to each other's document requests. To
8 date, Plaintiffs have produced 84,567 pages of documents, Defendant LEPRO Innovation Inc. has
9 produced 991 pages of documents, Defendant LE Innovation Inc has produced 14 pages of
10 documents, Defendant Innovation Rules Inc. has produced 22,039 pages of documents, Defendant
11 Home Ever Inc. has produced 296 pages of documents, Defendant Leitianlighting, Inc. has
12 produced 20,114 pages of documents, and Defendants have collectively produced an additional
13 4,874 pages of documents.

14 A deposition of Signify's technical expert, Dr. Regan Zane, was completed on August 25,
15 2023, in connection with the parties' claim construction briefing.

16 **(b) A specific description of the discovery that remains to be completed.**

17 For written discovery, Defendants have agreed to provide supplemental responses to
18 Plaintiffs' Interrogatory Nos. 1, 2, 4, 7, 8 and 9. In addition, Defendants' responses to Plaintiffs'
19 second set of interrogatories are due on January 15, 2024. Plaintiffs have also followed up with
20 Defendants regarding additional documents to be produced by Defendants and are expecting that
21 Defendants will produce additional documents in response to Plaintiffs' document requests.

22 Defendants are also following up with Plaintiff and expecting additional documents and
23 interrogatory responses from Plaintiffs in response to Defendants' written discovery requests.

24 The following depositions remain to be completed:

25 For Plaintiffs:²

26 1) Rule 30(b)(6) deposition of Defendant LEPRO Innovation Inc.

27 _____
28 ² Plaintiffs served deposition notices of Defendants' witnesses on August 18, 2023

- 2) Rule 30(b)(6) deposition of Defendant LE Innovation Inc.
- 3) Rule 30(b)(6) deposition of Defendant Innovation Rules Inc.
- 4) Rule 30(b)(6) deposition of Defendant Home Ever Inc.
- 5) Rule 30(b)(6) deposition of Defendant Letianlighting, Inc.
- 6) Individual deposition of Jiangyu Zhou
- 7) Individual deposition of Weiqiao Xun
- 8) Individual deposition of Taiming Xu
- 9) Individual deposition of Tianying Li
- 10) Individual deposition of Litao Xu
- 11) Individual deposition of Ji Wu
- 12) Individual deposition of Maosheng Wu

For Defendants:³

- 1) Rule 30(b)(6) deposition of Plaintiff Signify North America Corporation
- 2) Rule 30(b)(6) deposition of Plaintiff Signify Holding B.V.
- 3) Individual deposition of Martijn Henri Richard Lankhorst
- 4) Individual deposition of Ludo Haenen
- 5) Individual deposition of Patrick Van Kooten

(c) The reasons why the deadline was not satisfied or the remaining discovery was not completed within the time limits set by the discovery plan.

The primary reason for extending the remaining case schedule is to take and complete the individual and Rule 30(b)(6) noticed depositions set forth in section (c) above.

Plaintiffs have been attempting to schedule depositions of Defendants witnesses since August 2023. However, the scheduling of Defendants' witnesses has been impacted by disputes pertaining to these depositions which has required the intervention of the Court.

On August 18, 2023, Plaintiffs served their individual and Rule 30(b)(6) depositions notices to Defendants. On September 23, 2023, Defendants served objections to the deposition

³ Defendants served deposition notices of Plaintiffs' witnesses on December 2, 2023.

1 notices and informed Plaintiffs that Defendants' deposition witnesses would not be made available
2 for depositions in Las Vegas, Nevada. Plaintiffs contended that Defendants' witnesses should be
3 made available in Las Vegas, Nevada because each of the Defendants is a Nevada corporation
4 with a principal place of business in Nevada. Thereafter, the parties met and conferred, and the
5 parties reached an impasse on the location of deposition of Defendants' witnesses.

6 On October 4, 2023, Plaintiffs filed a motion to compel the depositions of Defendants'
7 witnesses in Las Vegas, Nevada. (ECF No. 69.) On October 18, 2023, Defendants opposed
8 Plaintiff's motion to compel and filed a cross-motion for protective order. (ECF Nos. 75, 76.) On
9 October 31, 2023, Plaintiffs filed a reply to their motion to compel and an opposition to
10 Defendants' cross-motion. (ECF Nos. 81, 82.) On November 8, 2023, Defendants filed a reply to
11 their cross-motion. (ECF No. 84.) On November 20, 2023, the Court held a hearing on the parties'
12 motions and ruled in Plaintiffs' favor and ordered that Defendants' witnesses to appear for
13 depositions in Las Vegas, Nevada. (ECF No. 87.)

14 Thereafter, the parties worked to schedule depositions of Defendants' witnesses, however,
15 the parties reached disagreement on the length of the depositions of Defendants' witnesses.

16 On December 11, 2023, Plaintiffs filed a motion to compel full depositions and requested
17 the Court to order Defendants to produce each of their witnesses for the full time required by the
18 Federal Rules: one day for each individual witness, and one day per corporate entity for each
19 designated 30(b)(6) witness. This motion is pending. Defendants' opposition is due December 26,
20 2023, and Plaintiffs' reply is due January 2, 2024. The Court has set oral argument on this motion
21 for January 4, 2024, at 1:30 PM before the Honorable Magistrate Judge Daniel J. Albregts.

22 Finally, Defendants are also attempting to schedule deposition dates for Plaintiffs'
23 individual and Rule 30(b)(6) witnesses.

24 **Reasons for Short Extension of the Case Schedule**

25 Given the pending motion to compel full depositions of Defendants' witnesses (ECF No.
26 87), given the number of depositions to be conducted by the parties in this patent infringement
27 action, and since many witnesses are located outside of the United States, the parties respectfully
28

believe that extending the fact discovery cut-off date from January 15, 2024 to February 2, 2024 will allow the parties to complete the depositions set forth in section (c) above, with the possible exception of Defendants' witnesses who do not yet have visas to travel to the United States.

Certain Defendant Witnesses Have Not Yet Obtained Travel Visas

Defendants have informed Plaintiffs that Defendants' witnesses Maosheng Wu, Jiangyu Zhou, and Tianying Li do not yet have visas to travel to the United States.⁴ Defendants have further informed Plaintiffs that these witnesses are in the process of applying and obtaining U.S. visas, including submitting visa applications and securing visa interviews with the U.S. consulate in Southern China (Guangzhou). The parties may need to file a further stipulation of extension and seek leave of Court to take depositions of one or more these witnesses beyond the fact discovery cut-off date if they do not receive visas to allow them to travel to the United States before the fact discovery cut-off date.

(d) A proposed schedule for completing all remaining discovery.

The parties jointly proposed the following schedule for completing remaining discovery:

<u>Event</u>	<u>Current Date</u>	<u>New Agreed Date</u>
Fact Discovery Cut-Off	January 15, 2023	February 2, 2024
Expert Designations	March 4, 2024	March 22, 2024
Rebuttal Expert Designations	April 3, 2024	April 22, 2024
Expert Discovery Cut-off	May 3, 2024	May 22, 2024
Dispositive Motion Deadline	June 3, 2024	June 22, 2024

⁴ **Plaintiffs' Statement:** Defendants did not begin the visa process for Maosheng Wu, Jiangyu Zhou, and Tianying Li until after the Court's November 20, 2023 decision on Plaintiffs' motion to compel depositions in Las Vegas, Nevada, despite the fact that Plaintiffs served their deposition notices for these individuals on August 18, 2023.

The parties respectfully submit that good cause exists to extend these deadlines for the reasons set forth above. No other case deadlines are affected by the requested extension. Accordingly, good cause exists for the requested relief.

WHEREFORE, the parties hereby respectfully request that the Court enter an order extending the deadlines as set forth above.

Dated: December 21, 2023

Respectfully submitted,

/s/ F. Christopher Austin

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Respectfully submitted,

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IT IS SO ORDERED:



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

DATED: December 27, 2023